

GIBSON, DUNN & CRUTCHER LLP
JOEL S. SANDERS, SBN 107234
ADAM WILSON, SBN 206107
One Montgomery Street, Suite 3100
San Francisco, California 94104
Telephone: (415) 393-8200
Facsimile: (415) 986-5309
JSanders@gibsondunn.com
adamwilson@gibsondunn.com

ARNOLD & PORTER
RONALD C. REDCAY, SBN 67236
777 South Figueroa Street, 44th Floor
Los Angeles, California 90017-2513
Telephone: (213) 243-4002
Facsimile: (213) 243-4199
Ronald_Redcay@aporter.com

Attorneys for Defendants
MICRON TECHNOLOGY, INC. and
MICRON SEMICONDUCTOR PRODUCTS, INC.

[Additional Counsel and Parties Appear at End]

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

JAMIE MAITES, et al.,

Plaintiff,

vs.

SAMSUNG ELECTRONICS CO., LTD.,
et al.,

Defendants.

Civil No. 06-cv-06542 SBA

MDL 1819 (pending)

**JOINT STIPULATION TO CONTINUE CASE
MANAGEMENT DEADLINES;
ORDER**

Pursuant to Civil Local Rules 16-2(e) and 7-12 of the United States District Court for the
Northern District of California, the following parties hereby stipulate to continuing the deadlines set

1 forth in the Case Management Scheduling Orders filed October 19, 2006 and October 27, 2006
2 (Documents 2 and 3), for the following good cause:

3 1. At least 51 complaints have been filed to date in federal district courts by plaintiffs
4 bringing class actions on behalf of either direct or indirect purchasers alleging price fixing by
5 manufacturers of Static Random Access Memory ("SRAM") (collectively, the "SRAM cases").

6 2. There is currently pending before the Judicial Panel on Multidistrict Litigation ("JPML")
7 (MDL case number 1819) a motion to transfer SRAM cases for coordinated or consolidated pretrial
8 proceedings pursuant to 28 U.S.C. §1407.

9 3. On November 15, 2006, several defendants in the SRAM cases filed with the JPML a
10 schedule identifying the above-captioned case as a potential tag-along action to pending MDL 1819.

11 4. On December 14, 2006, the JPML issued a Notice of Hearing Session stating that the
12 request to consolidate the SRAM cases will be heard by the JPML on January 25, 2007.

13 5. The parties agree that, at some point subsequent to that hearing, the JPML is likely to grant
14 the transfer and coordination or consolidation request.

15 6. In light of the pending consolidation request before the JPML, Plaintiffs and Defendants
16 Micron Technology, Inc. and Micron Semiconductor Products, Inc. stipulated on November 13, 2006
17 to extend the time for Defendants to respond to the Complaint in the above-captioned action to the
18 earlier of the following two dates: (1) thirty days after the filing of a Consolidated Amended
19 Complaint in the SRAM cases; or (2) thirty days after Plaintiffs provide written notice that they do
20 not intend to file a Consolidated Amended Complaint, provided that such notice may be given only at
21 or after the initial case management conference in the MDL transferee court in this case. Upon
22 information and belief, all other defendants in this case joined that Stipulation. There have not been
23 any other time modifications in this case.

24 7. Anticipating a decision by the JPML, two courts in this district have already denied a
25 series of administrative motions to consider whether certain SRAM cases should be related. These
26 courts denied all of these motions without prejudice to renewal following the resolution of the
27 proceedings before the JPML. *See Dataplex, Inc. v. Alliance Semiconductor Corp., et. al*, No. 06-
28

6491 CW (12/14/06 Order of Judge Wilken); *see also In re DRAM Litigation*, No. M02-1486 PJH (11/15/06 Order of Judge Hamilton).

8. Also anticipating a decision by the JPML, two additional courts in this district have recently either stayed an SRAM proceeding or continued case management deadlines in three SRAM actions. *See Reclaim Center, Inc., et al. v. Samsung Electronics Co., Ltd., et al.*, No. 06-6533 (12/22/06 Order of Judge Illston to stay proceeding pending decision by JPML); *Madsen v. Samsung Electronics Co., Ltd., et al.*, No. 06-6541 (12/22/06 Order of Judge Illston to continue case management deadlines pending decision by JPML); *Ma v. Alliance Semiconductor Corp., et al.*, No. 06-6511 (12/20/06 Order of Judge Laporte to continue case management deadlines and conference pending decision by JPML).

9. Given the January 25, 2007 hearing date for pending MDL 1819, the dates set forth in the Case Management Scheduling Orders filed October 19, 2006 and October 27, 2006 in the above-captioned case, including deadlines imposed by Federal Rules of Civil Procedure 26, Local Rule 16, and ADR Local Rule 3.5, will come to pass before the JPML acts on the pending request.

10. Continuing the dates set forth in the Case Management Scheduling Orders filed October 19, 2006 and October 27, 2006 pending the JPML's resolution of the pending transfer and coordination or consolidation request would promote judicial efficiency, allow consistency in pretrial rulings, and be most convenient to the parties, including the Plaintiffs in the above-captioned action.

11. The parties agree that this joint stipulation does not constitute a waiver of any defense, including but not limited to the defense of lack of personal or subject matter jurisdiction or improper venue.

//

//

//

//

//

//

//

12. Accordingly, the parties hereby STIPULATE to and respectfully request the Court to CONTINUE the dates set forth in the Case Management Scheduling Orders filed October 19, 2006 and October 27, 2006 (Documents 2 and 3). The affected dates include the deadline to meet and confer and file Joint ADR Certification (currently December 27, 2006); the deadline to complete Initial Disclosures, the Joint Case Management Statement, and the Rule 26(f) Report (currently January 7, 2007); and the Initial Case Management Conference (currently January 17, 2007). The parties propose extending these dates 90 days to March 27, April 7, and April 18, 2007, at 2:30 p.m. respectively.

13. The parties shall meet and confer prior to the Case Management Conference and shall prepare a joint Case Management Conference Statement, which shall be filed no later than April 9, 2007. Counsel for Plaintiffs shall be responsible for filing the Case Management Conference Statement, as well as for arranging the Case Management Conference call. All parties shall be on the line and shall call (510) 637-3559 at the above indicated date and time.

Dated: December 27, 2006

Respectfully Submitted,

Joel S. Sanders
Adam Wilson
GIBSON, DUNN & CRUTCHER LLP
One Montgomery Street
Montgomery Tower, 31st Floor
San Francisco, CA 94104

Ronald C. Redcay
ARNOLD & PORTER LLP
777 South Figueroa Street, 44th Floor
Los Angeles, California 90017-2513

By: /s/ Adam Wilson

Adam Wilson

Attorneys for Defendants Micron Technology,
Inc. and Micron Semiconductor Products, Inc.

Dated: December 27, 2006

Michael Lehmann
Jon T. King
FURTH LEHMANN & GRANT LLP
225 Bush Street, 15th Floor

San Francisco, CA 94104

By: /s/ Jon T. King

Jon T. King

Attorneys for Plaintiffs Jamie Maites and
Stephanie Truong

1
2 DATED: December 27, 2006

Respectfully submitted:

3
4 By: /s/ Anita F. Stork
5 Anita F. Stork
6 James R. Atwood
7 Tara M. Steeley
8 COVINGTON & BURLING LLP
9 One Front Street
10 San Francisco, CA 94111

11 Attorneys for Defendant Integrated Device
12 Technology, Inc.

13 DATED: December 27, 2006

Respectfully submitted:

14 By: /s/ Ted Lindquist
15 Gary L. Halling
16 James L. McGinnis
17 Ted Lindquist
18 Mona Solouki
19 Tiffany Lee
20 SHEPPARD, MULLIN, RICHTER &
21 HAMPTON LLP
22 Four Embarcadero Center, 17th Floor
23 San Francisco, CA 94111

24 Attorneys for Defendant Samsung
25 Semiconductor, Inc.

26 DATED: December 27, 2006

Respectfully submitted:

27 By: /s/ Peter Nemerovski
28 Kenneth O'Rourke
Peter Nemerovski
O'MELVENY & MYERS LLP
400 S. Hope Street
Los Angeles, CA 90071

Attorneys for Defendant
Hynix Semiconductor America, Inc.

1
2 DATED: December 27, 2006

Respectfully submitted:

3
4 By: /s/ Steven Morrissett

5 Steven Morrissett
6 FINNEGAN, HENDERSON, FARABOW,
7 GARRETT & DUNNER LLP
8 Stanford Research Park
9 3300 Hillview Avenue
10 Palo Alto, CA 94304

11 Attorneys for Defendant Winbond
12 Electronics Corporation America, Inc.

13
14 DATED: December 27, 2006

Respectfully submitted:

15 By: /s/ Paul Griffin

16 Robert Pringle
17 Paul Griffin
18 Jonathan Swartz
19 THELEN REID BROWN RAYSMAN &
20 STEINER LLP
21 101 Second Street, Suite 1800
22 San Francisco, CA 94105

23 Attorneys for Defendant NEC Electronics
24 America, Inc.

25
26 DATED: December 27, 2006

Respectfully submitted:

27 By: /s/ Robert P. Feldman

28 Robert P. Feldman
Maura Rees
WILSON SONSINI GOODRICH &
ROSATI
650 Page Mill Road
Palo Alto, CA 94304

Attorneys for Defendant Cypress
Semiconductor, Inc.

1
2 DATED: December 27, 2006

Respectfully submitted:

3
4 By: /s/ Kevin C. McCann

5 Kevin C. McCann
6 Shinyung Oh
7 PAUL, HASTINGS, JANOFSKY &
8 WALKER LLP
9 55 Second Street, 24th Floor
10 San Francisco, CA 94105

11 Attorneys for Defendant Alliance
12 Semiconductor Corporation

13
14 DATED: December 27, 2006

Respectfully submitted:

15 By: [Please see attached signature sheet]

16 Jeffrey M. Shohet
17 Mark Hamer
18 Alice Detwiler
19 DLA PIPER US, LLP
20 401 B Street
21 Suite 1700
22 San Diego, CA 92101

23 Attorneys for Defendant GSI Technology,
24 Inc.

25
26 DATED: December 27, 2006

Respectfully submitted:

27 By: /s/ Daniel E. Alberti

28 Daniel E. Alberti
MCDERMOTT WILL & EMERY LLP
3150 Porter Drive
Palo Alto, CA 94304

Attorneys for Defendants Hitachi America,
Ltd. and Renesas Technology America, Inc.

1
2 DATED: December 27, 2006

Respectfully submitted:

3
4 By: /s/ David Eiseman
David Eiseman
QUINN EMANUEL URQUHART
OLIVER & HEDGES, LLP
50 California Street, 22nd Floor
San Francisco, CA 94111

Attorneys for Defendant IBM Corporation

9
10 DATED: December 27, 2006

Respectfully submitted:

11
12
13 By: /s/ Michael D. Lisi
Michael D. Lisi
KRIEG, KELLER, SLOAN, REILLEY &
ROMAN LLP
114 Sansome Street
Suite 400
San Francisco, CA 94104-3898

Attorneys for Defendant Mitsubishi Electric
& Electronics USA, Inc.

18
19
20 DATED: December 27, 2006

Respectfully submitted:

21
22
23 By: /s/ Daniel A. Rozansky
Daniel A. Rozansky
STROOCK & STROOCK & LAVAN LLP
2029 Century Park East, #18
Los Angeles, CA 90067

Attorneys for Defendants Epson America,
Inc. and Epson Electronics America, Inc.

1 DATED: December 27, 2006

Respectfully submitted:

3
4 By: /s/ Roxane Polidora

Roxane Polidora
John Janhunnen
PILLSBURY, WINTHROP, SHAW &
PITTMAN, LLP
50 Fremont Street
San Francisco, CA 94105

Attorneys for Defendant Sharp Electronics
Corporation

10 DATED: December 27, 2006

Respectfully submitted:

13 By: /s/ Elisabeth Brown

Stephen V. Bomse
David M. Goldstein
Elisabeth Brown
HELLER EHRMAN LLP
333 Bush Street
San Francisco, CA 94104

Attorneys for Defendants Sony Corporation
of America and Sony Electronics Inc.

20 DATED: December 27, 2006

Respectfully submitted:

23 By: /s/ Teague I. Donahey

Russell L. Johnson
Edward V. Anderson
Teague I. Donahey
SIDLEY AUSTIN LLP
555 California Street
Suite 2000
San Francisco, CA 94104-1715

Attorneys for Defendant
STMicroelectronics, Inc.

1 DATED: December 27, 2006

Respectfully submitted:

3 By: /s/ Belinda Lee

4 Belinda Lee
5 Andrea Yamamoto
6 LATHAM & WATKINS
7 633 West Fifth Street
8 Suite 4000
9 Los Angeles, CA 90071-2007

Attorneys for Defendants Toshiba America,
Inc. and Toshiba America Electronic
Components, Inc.

10
11 DATED: December 27, 2006

Respectfully submitted:


12
13 By: /s/ Taryn Lam

14 Taryn Lam
15 WHITE & CASE LLP
16 3000 El Camino Real
17 5 Palo Alto Square, 10th Floor
18 Palo Alto, California 94306

Attorneys for Defendant Integrated Silicon
Solution, Inc.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 1/3/07



THE HONORABLE SAUNDRA BROWN
ARMSTRONG
United States District Court Judge

1 I, Adam Wilson, am the ECF User whose identification and password are being used to file
2 this Joint Stipulation and [Proposed] Order To Continue Case Management Deadlines. I hereby attest
3 that concurrence in the filing of this document has been obtained from each of the other signatories,
4 and that each of the signatories has provided me with written permission to sign their names to this
5 document.

6
7 Dated: December 27, 2006

GIBSON, DUNN & CRUTCHER LLP

8 By: /s/ Adam Wilson

9 Adam Wilson

10 Attorneys for Defendants Micron Technology,
11 Inc. and Micron Semiconductor Products, Inc.
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28